



CWP-20731-2023

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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-20731-2023

Date of decision : 22.05.2024

Vijender Singh

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr.B.S. Rana, Senior Advocate with
Ms.Niharika Singh, Advocate and
Mr.Karanbir Singh, Advocate for the petitioner.

Ms.Palika Monga, DAG, Haryana.

VIKAS BAHL, J.(ORAL)

1. This is a civil writ petition filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari for quashing the notice of retirement dated 30.06.2023 (Annexure P-7) and order dated 07.07.2023 (Annexure P-8) passed by respondent no.3 ordering retirement of the petitioner w.e.f. 06.10.2023 after attaining the age of 55 years.

2. Learned State counsel has submitted that the department has withdrawn the order dated 07.07.2023 and has given a copy of the order dated 21.05.2024 withdrawing the said order, in the Court during the course of hearing, which is taken on record as "Mark A". It is submitted that the impugned notice would also be withdrawn during the course of the day and thus, the present petition be disposed of as having been rendered



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infructuous.

3. Learned senior counsel for the petitioner has submitted that in addition to the challenge to the notice of retirement as well as the compulsory retirement order, challenge has also been made to the order dated 07.06.2023 (Annexure P-6) as well as a further prayer has been made for issuance of a writ of mandamus directing the respondents to allow the petitioner to serve in the department of police beyond 55 years and promote him to the post of Inspector.

4. Learned State counsel has further submitted that as per her instructions, even the order dated 07.06.2023 has been set aside.

5. Learned senior counsel for the petitioner has also affirmed the said fact. It is further submitted that the present petition be disposed of as having been rendered infructuous but liberty be granted to the petitioner to file a fresh petition, in case any cause arises in future. It is further prayed that the petitioner be also permitted to agitate his prayer for promotion to the post of Inspector in any subsequent writ petition to be filed and the disposal of the present petition as being infructuous should not be construed as an estoppel from raising the said plea.

6. Keeping in view the above said facts and circumstances, the present petition is disposed of as having been rendered infructuous with the aforesaid liberty.

(VIKAS BAHL)
JUDGE

May 22, 2024
Davinder Kumar